

REMARKS

Applicants submit this Amendment in reply to the Office Action mailed December 1, 2005.

By this Amendment, Applicants amend claims 1 and 4 and cancels claims 2, 3 and 6 without prejudice or disclaimer. The originally-filed specification, drawings, and claims fully support the amendments to claims 1 and 4. No new matter has been introduced.

Claims 1, 4, and 5 are pending in this application. Claims 3 and 4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Examiner is thanked for the indication of allowable subject matter. Claim 1 is the sole independent claim.

On page 2 of the Office Action, the Examiner objected to the specification for informalities. In light of the Applicants' amendments to the specification, it is respectfully requested that these objections be removed. No new matter has been added.

On page 2 of the Office Action, claims 1, 2, and 5 were rejected under 35 U.S.C. § 102(a) as being anticipated by United States Patent No. 6,356,722 to Kida ("Kida"). Applicants respectfully traverse this rejection.

Applicants' invention is directed to a device for image forming with internal cooling. A pair of plates spaced apart from each other to provide a gap therebetween constitute a frame, and form a flow path for cooling air between the gap, wherein one of the plates has a plurality of holes and a part of the plurality of holes is selected by a selection member to form the flow path for the cooling air.

In contrast, Kida teaches an image forming apparatus having a fan 107 for pulling air out of the image forming apparatus via duct 120 (see Fig. 14 of Kida). Applicants submit that Kida does not teach or fairly suggest all features of the current claims.

The indicated allowable subject matter of claim 3 has been incorporated into independent claim 1, thereby making amended claim 1 allowable. All claims that depend from an allowable claim are allowable. Thus, Kida cannot be said to anticipate the invention as recited in claims 1, 2, and 5.

In light of the foregoing remarks, withdrawal of the rejection of claims 1, 2, and 5 under 35 U.S.C. 102(a) as being anticipated by Kida is respectfully requested.

On page 2 of the Office Action, claim 6 was rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 5,634,176 to Ayash et al. ("Ayash"). Applicants respectfully traverse this rejection. Without conceding the propriety of the rejection, claim 6 has been canceled without prejudice or disclaimer.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

The Office Action contains characterizations of the claims and the related art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

In discussing the specification, claims, and drawings in this Amendment, it is to be understood that Applicants are in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification and/or shown in the

drawings. Rather, Applicants are entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

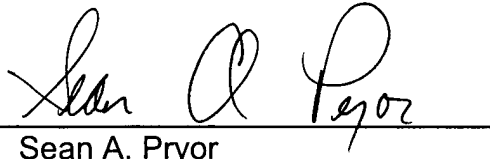
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 1, 2006

By: _____

A handwritten signature in cursive script, appearing to read "Sean A. Pryor", is written over a horizontal line.

Sean A. Pryor
Reg. No. 48103